

REMARKS

Claims 1-14 are pending and under consideration in the above-identified application. In the Office Action of March 25, 2011, claims 1-14 were rejected. With this Amendment, claims 1-6 and 11-13 have been amended, claims 7-10 and 14 have been cancelled without prejudice to, or disclaimer of, the subject matter that each of these claims recites. Claim 15 is new.

All amendments made to the claims and the new claims are supported by the specification as originally filed on at least pages 10-13. No new matter has been introduced. Reconsideration of this application for allowance of all pending claims are hereby respectfully requested in view of the amendments to the claims and the following remarks.

Double Patenting Rejection of Claims

Claims 1-14 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2 and 8 of U.S. Patent No. 6,424,982.

In response to this objection, Applicants are submitting a "Terminal Disclaimer." Accordingly, Applicants respectfully request withdrawal of this rejection.

Rejection Based on 35 U.S.C. § 103

Claims 1-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lu et al. (U.S. Pat. No. 5,819,260) ("Lu").

Applicant respectfully traverses this rejection.

In relevant part, representative independent claim 1 is directed to a system for parsing text in a document that includes a buffer for reading one or more words from the piece of text and a parser that extracts at least one of the one or more words from the buffer when a break

character is identified and which stores at least one of the at least one extracted words as a phrase in the memory based on the type of break character identified where the parser further extracts additional occurrences of the at least one extracted words from the piece of text after the piece of text is parsed. Claims 4 and 11-13 are directed to similar systems and methods.

This is clearly unlike Lu which fails to disclose, or even fairly suggest, these features. Instead, Lu discloses a text processing process where an entire piece of text is searched for words and punctuation that match words and punctuation in a "Partition List," the matching words and punctuation are replaced by a tag such as "####" and each word not replaced by a tag is analyzed based on the frequency upon which the non-replaced word appears in the text. See, U.S. Pat. No. 5,819,260, Col. 7, 47-Col. 8, l. 19. Accordingly, Lu discloses searching an entire piece of text two times with a first search identifying key words and symbols in the text which are replaced with a tag and a second search that analyzes the remaining non-replaced words.

This cannot be fairly viewed as a parser that extracts at least one of one or more words from a buffer when a break character is identified because Lu merely replaces words in a piece of text that match words in a "Partition List" with a tag without extracting any unmatched words when the word from the "Partition List." In addition, Lu does not disclose anything pertaining to storing unmatched words based on the type of matched words identified. In fact, the system of Lu replaces the matched words with a meaningless tag such as "####," which is not used in the analysis of the remaining non-matched words or any type of storage of the non-matched words. See, U.S. Pat. No. 5,819,260, Col. 7, 47-Col. 8, l. 19.

In the Office Action of March 25, 2011, the Examiner incorrectly asserts that

"The enhanced text list illustrates the desired phrases retrieved from memory after the text had been parsed. See, Column 4, lines 65-67 and Column 5, lines 1-10. The

reference provides a reasonable suggestion of retrieving all occurrences of the extracted phrases from the piece of text. See, column 5, lines 65-67 and column 5, lines 1-10.”

This is a mischaracterization of what Lu discloses. Lu only discloses an “enhanced stop word list” or a “Partition List” that includes words, word combinations and punctuation symbols to “allow the method to provide smaller text chunks” after the words and punctuation are identified in the piece of text and replaced by tags. See, U.S. Pat. No. 5,819,290, Col. 4, l. 55-Col. 5, l. 10. It is unclear how searching a piece of text for words and punctuation that match a “Partition List” and replacing the matching words and punctuation with meaningless tags could possibly motivate one having ordinary skill in the art to extract additional occurrences of previously extracted words from a piece of text. It appears the Examiner is improperly attempting to read more from Lu than Lu discloses.

It is well settled that establishing a *prima facie* case of obviousness requires that all claim limitations recited in a claim must be taught or suggested by the prior art. MPEP §2143.03. Clearly, the cited references do not pass this muster. Thus, a *prima facie* case of obviousness can not be established.

Since Lu fails to teach or suggest the above-discussed features of independent claims 1, 4 and 11-13, the rejection of claims 1, 4 and 11-13 cannot stand. Thus, it would not have been obvious manipulate the disclosure of Lu to yield the invention of claims 1, 4 and 11-13. Therefore, claims 1, 4 and 11-13 are patentable.

Claims 2-6 depend from claims 1, 4 and 11-13, respectively. Thus, claims 2-6 are not obvious and patentable for at least the same reasons as stated above respect to claims 1, 4 and 11-13, respectively, and for the additional features recited therein. Therefore, the Applicant respectfully requests that rejection of claims 1-14 under 35 U.S.C. §103(a) be withdrawn.

New Claims

With this amendment, the Applicants are submitting new claim 15. Claim 15 incorporates similar features as claims 1, 4 and 11-13 and is therefore patentable over Lu for at least the same reasons as claims 1, 4 and 11-13 discussed above.

Conclusion

The Applicants have addressed all rejections/objection raised by the Examiner. Accordingly, it is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 19-3140 and please credit any excess fees to such deposit account.

Respectfully submitted,

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